

920584-908002

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE THE APPLICATION OF

Martin Smith

SERIAL NO. 09/512,910

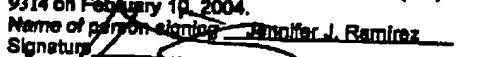
FILED: 25 February 2000

FOR: A Method Of Deploying A Fixed Wireless  
Access Communications Network Such  
That A Specified Level Of Link  
Performance Is Maintained


) Examiner: Thuan T. Nguyen

) Group Art Unit No. 2685

) Customer number: 23644

) I hereby certify that this correspondence is being  
transmitted to the above -- identified examiner at the  
United States Patent and Trademark Office (703) 872-  
9314 on February 10, 2004.  
Name of person signing: Jennifer J. Ramirez  
Signature: 

**OFFICIAL**

*Handwritten notes:*  
7/16/04  
2/12/04  


**RESPONSE TO OFFICE ACTION OF JANUARY 16, 2004**

Honorable Director of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir

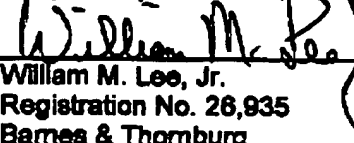
The examiner has issued a further office action of January 16, 2004.  
Reconsideration is requested, for the reasons set forth immediately below.

The examiner has rejected claims 1 - 20 under 35 U.S.C. §102 as being anticipated  
by Rappaport U.S. Patent Number 6,625,454. However, Rappaport is not a proper  
reference. Rappaport is a reference only as of its filing date, which is August 4, 2000. The  
present application was filed on February 25, 2000, well in advance of the filing date of  
Rappaport.

Therefore, since Rappaport is an improper reference, reconsideration and withdrawal of the rejection are urged, and allowance of the application in due course is solicited.

February 10, 2004

Respectfully submitted,

  
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Attorney Docket:  
920584-906002

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TOTAL NUMBER OF PAGES INCLUDING COVER PAGE: 3

TO: **HONORABLE DIRECTOR OF PATENTS AND TRADEMARKS**

EXAMINER: Thuan T. Nguyen

GROUP ART UNIT: 2685

ATTN **Examiner**

MAIL STOP **Responses No Fee**

Attached: Response To Office Action Of January 16, 2004

If you do not receive all pages, please contact William M. Lee, Jr. at (312) 214-4800 or his assistant, Jennifer Ramirez at (312) 214-4829.

**Certificate of Transmission**

I hereby certify that this paper for Serial No. **09/512,910** facsimile transmitted to the Patent and Trademark Office, Fax Number (703) 872-9314 on the date shown below.

Jennifer J. Ramirez

Name of Person Signing

  
Signature

February 10, 2004